

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

<b>GWACS ARMORY, LLC</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	<b>Case No.: 4:20-cv-0341-CVE-SH</b>
<b>KE ARMS, LLC, RUSSELL PHAGAN,</b>	)	<b>BASE FILE</b>
<b>SINISTRAL SHOOTING</b>	)	
<b>TECHNOLOGIES, LLC, BROWNELLS,</b>	)	Consolidated with:
<b>INC., and SHAWN NEALON,</b>	)	Case No. 21-CV-0107-CVE-JFJ
	)	
<b>Defendants.</b>	)	
<b>and</b>	)	
	)	
<b>KE ARMS, LLC,</b>	)	
<b>Plaintiff,</b>	)	
<b>v.</b>	)	
<b>GWACS ARMORY, LLC, GWACS</b>	)	
<b>DEFENSE INCORPORATED, JUD</b>	)	
<b>GUDGEL, RUSSEL ANDERSON, DOES I</b>	)	
<b>through X, and ROE CORPORATIONS I</b>	)	
<b>through X,</b>	)	
<b>Defendants.</b>	)	

**DEFENDANTS’/COUNTER-PLAINTIFF’S PRE-TRIAL DISCLOSURE**

In compliance with FRCP 26(a)(3) Defendants, KE Arms, LLC (“KEA”), Russell Phagan (“Phagan”), an individual; Sinistral Shooting Technologies, LLC (“SST”), an Arizona limited liability company; Brownells, Inc., (“Brownell’s”) an Iowa corporation; and Shawn Nealon (“Nealon”), an individual (hereinafter collectively “Defendants”) and Counter-Plaintiff KEA (“Counter-Plaintiff”), by and through their undersigned attorneys of record, Marquis Aurbach, hereby submit their pre-trial disclosure of witnesses and documents.

**I. LIST OF WITNESSES DEFENDANTS/COUNTER-PLAINTIFF EXPECTS TO PRESENT AT TRIAL:**

	Name and Address	Subject of Discoverable Information
1.	KE Arms, LLC, Rule 30(b)(6) Designee c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, Nevada 89145	KE Arms, LLC is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
2.	Brownells, Inc., Rule 30(b)(6) Designee c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, Nevada 89145	Brownells is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
3.	Russell Phagan c/o Marquis Aurbach 10001 Park Run Drive Las Vegas, Nevada 89145	Mr. Phagan is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
4.	Shawn Nealon 2217 W FAIRFIELD ST, MESA, AZ 85213, USA	Mr. Nealon is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.

5.	Cavalry Arms Corporation, Rule 30(b)(6) Designee 2217 W FAIRFIELD ST, MESA, AZ 85213, USA	Cavalry is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
6.	GWACS Armory, LLC, Rule 30(b)(6) Designee c/o JONES, GOTCHER & BOGAN, P.C. 15 East Fifth St. Tulsa, OK 74103	GWACS is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
7.	GWACS Defense Incorporated, Rule 30(b)(6) Designee c/o JONES, GOTCHER & BOGAN, P.C. 15 East Fifth St. Tulsa, OK 74103	GWACS Defense is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
8.	Jud Gudgel c/o JONES, GOTCHER & BOGAN, P.C. 15 East Fifth St. Tulsa, OK 74103	Mr. Gudgel is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
9.	Russell Anderson c/o JONES, GOTCHER & BOGAN, P.C. 15 East Fifth St. Tulsa, OK 74103	Mr. Anderson is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.

10.	30(b)(6) Designee of INRANGE PRODUCTIONS, LLC 29327 E. Kittle Place, MARANA, AZ 85658, USA	The 30(b)(6) Designee is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
11.	Alisha Swindle 6840 S 8th Drive Phoenix, AZ 85041	Ms. Swindle is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
12.	Tim McBride 550 W Kaniksu St Apache Junction, AZ 85120	Mr. McBride is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
13.	Brad Pace 2527 E Diamond Ave Mesa, AZ 85204	Mr. Pace is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
14.	Karl Kasarda 29327 East Kittle Place Marana, AZ 85658	Mr. Kasarda is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.

15.	Ian McCollum 510 W Spring Valley Drive Tucson, AZ 85704	Mr. Collum is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
16.	Oleg Volk 2289 Callis Road Lebanon, TN 37090	Mr. Voleg is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
17.	Joe Elledge 816-651-5544	Mr. Elledge is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
18.	Kenneth King acerbichumor@gmail.com 907-250-3093	Mr. King is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
19.	Jeff Petty Dallas Permian LLC jeff.petty@dallaspermian.com	Mr. Petty is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.

20.	EJ Oppenheimer 1500 S Frisco Ave Apt. 8B, Tulsa, OK 74119	Mr. Oppenheimer is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
21.	Reed Oppenheimer 1500 S Frisco Ave Apt. 8B, Tulsa, OK 74119	Mr. Oppenheimer is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
22.	Clayton Woodrum 321 S Boston Ave Ste. 200, Tulsa, OK 74103	Mr. Woodrum is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.
23.	Michael L. Rosten, CPA, CFF, CFE, CVA, MAFF 6100 Elton Avenue, #1000 Las Vegas, NV 89107	Mr. Rosten will serve as the Defendants'/Counter-Plaintiff's expert witness, and is expected to testify regarding his review of the records, his findings and opinions, within a reasonable degree of certainty, regarding the damages, if any, sustained by Plaintiff, the damages sustained by Counter-Plaintiff, and related issues in his report produced herein; and as to any other matter relevant to this action which may be elicited by counsel at trial.

24.	Richard H. Newman, Esq. Newman Law, LLC 7435 S. Eastern Avenue, Suite 105-431 Las Vegas, NV 89123	Mr. Newman will serve as the Defendants'/Counter-Plaintiff's expert witness, and is expected to testify regarding his review of the records, his findings and opinions, within a reasonable degree of certainty, regarding intellectual property, including, but not limited to trade dress, unfair competition law, and copyright, and related issues in his report produced herein; and as to any other matter relevant to this action which may be elicited by counsel at trial.
25.	Michel ("Shel") Jones c/o JONES, GOTCHER & BOGAN, P.C. 15 East Fifth St. Tulsa, OK 74103	Mr. Jones is expected to testify regarding the facts and circumstances giving rise to Plaintiff's Complaint and Counter-Plaintiff's Counter-Complaint, the damages he claims were sustained; and as to any other matter relevant to this action which may be elicited by counsel at trial.

The Defendants/Counter-Plaintiff also reserve the right to call those witnesses listed by any other party.

## **II. LIST WITNESSES TO BE SUBPOENAED**

1. GWACS Armory, LLC, Rule 30(b)(6) Designee
2. GWACS Defense Incorporated, Rule 30(b)(6) Designee
3. Jud Gudgel
4. Russell Anderson
5. Alisha Swindle
6. Tim McBride
7. Brad Pace
8. Karl Kasarda

9. Ian McCollum
10. Oleg Volk
11. Joe Elledge
12. EJ Oppenheimer
13. Reed Oppenheimer
14. Clayton Woodrum
15. Michel “Shel” Jones

Defendants/Counter-Plaintiff reserve the right to call witnesses listed by any other party.

**III. WITNESSES WHOSE TESTIMONY MAY BE PRESENTED BY MEANS OF A DEPOSITION**

Defendants/Counter-Plaintiff do not anticipate presenting any testimony for this case by deposition, but reserves the right to present such testimony, if the need arises or if a witness becomes unavailable, and to rebut any testimony that may be presented by other parties to this case.

**IV. WITNESSES WHOSE TESTIMONY MAY BE PRESENTED BY DEPOSITION AS DEEMED NECESSARY FOR IMPEACHMENT AND/OR REBUTTAL PURPOSES**

1. GWACS Armory, LLC, Rule 30(b)(6) Designee
2. GWACS Defense Incorporated, Rule 30(b)(6) Designee
3. Jud Gudgel
4. Russell Anderson
5. Reed Oppenheimer
6. Clayton Woodrum



7. Michel “Shel” Jones

Defendants/Counter-Plaintiff reserve the right to impeach and/or rebut other witnesses and testimony presented at the time of trial.

**V. LIST OF DOCUMENTS THAT DEFENDANTS/COUNTER-PLAINTIFF EXPECT TO USE AT TRIAL**

	Document Description	Bates Nos.
1.	Asset Purchase Agreement between Sinistral Shooting Technologies, LLC and Calvary Arms Corporation and Shawn M. Nealon, dated March 22, 2013	KEA000001-29
2.	Asset Purchase and Sales Agreement between Sinistral Shooting Technologies, LLC and GWACS Armory, LLC, dated November 22, 2011.	KEA000030-40
3.	Mutual Nondisclosure Agreement between GWACs and Kearms, dated June 2, 2015	KEA000041-43
4.	Mutual Nondisclosure Agreement between GWACS Armory, LLC and Brownells, Inc., dated May 31, 2013	KEA000044-46
5.	Mutual Nondisclosure Agreement between GWACs Defense, GWACs Armory and Brownells, dated January 24, 2016	KEA000047-49
6.	KE Arms Invoices	KEA000050-54
7.	Invoices and FFA Information	KEA000057-66
8.	Demand Letter to KEA	KEA000067-68

9.	Phagan Emails 2011	KEA000087-KEA000136
10.	Phagan Emails 2015	KEA000215-KEA000216
11.	Phagan Emails 2016	KEA000217-KEA000223
12.	Oklahoma Secretary of State Filings for GWACS Armory, LLC and Certified Copy Certificate, dated March, 9, 2011	KEA000227-KEA000239
13.	Email from Paul Levy to Russell Phagan re Product Photography, dated March 3, 2021	KEA000349
14.	Emails GWACS	KEA000369-KEA000467
15.	Emails InRange	KEA000468-KEA000563
16.	Email from Russell Phagan to Paul Levy re Drop box Link for Photos for Recoil, dated January 20, 2020	KEA000566
17.	Email from Russell Phagan to Paul Levy re GI Parts kit, dated June 3, 2020	KEA000573-KEA000574
18.	Email from Russell Phagan to Paul Levy, Roy Hill and InRange Tv re MP3/WWSD Release Date, dated February 12, 2020	KEA000591
19.	Email from Russell Phagan to Paul Levy re PDQ levers/WWSD/KP-15, dated April 30, 2020)	KEA000595
20.	Email from Russell Phagan to Paul Levy re Polyner Receiver Model Update, dated April 16, 2020 ( )	KEA000596
21.	Email from Russell Phagan to Paul Levy re Photo-01, dated January 16, 2020 ( )	KEA000598)
22.	Email from Russell Phagan to Paul Levy re Cease and Desist, dated April 21, 2020	KEA000620-KEA000621

23.	Email from Russell Phagan to Paul Levy re KE Arms Lower Compatible Parts, dated August 3, 2020	KEA000626
24.	Email from Russell Phagan to Paul Levy re KP-15/WWSD Update, dated October 21, 2020	KEA000630-KEA000631
25.	Email from Russell Phagan to Jaqueline Grier and Paul Levy re MK3/WWSD Orders, dated January 3, 2020	KEA000633-KEA000635
26.	Email from Russell Phagan to Paul Levy re Pre-Orders on WWSD2020, dated January 27, 2020	KEA000640
27.	Email from Russell Phagan to Adam Galbrath, Paul Levy; Ian M, Grp Brownells Retail Mgmt re Shot Show Transfers of WWSD Rifle, dated January 20, 2020	KEA000645-KEA000649
28.	Email from Russell Phagan to Paul Levy re WWSD at NRAAM, dated February 12, 2020	KEA000661
29.	Email from Russell Phagan to Paul Levy re WWSD First Batch, dated March 2, 2020	KEA000662
30.	Email from Russell Phagan to Paul Levy re WWSD for IWA, dated January 11, 2020	KEA000664-KEA000665
31.	Email from Russell Phagan to Paul Levy re WWSD Page Update, dated December 14, 2020	KEA000668-KEA000669
32.	Email from Russell Phagan to Paul Levy re WWSD Show Rifle Invoice Tracking, dated January 17, 2020	KEA000685
33.	Email from Russell Phagan to Paul Levy re MC3 Wireframe, dated November 17, 2019	KEA000693-KEA000698
34.	Email from Russell Phagan to Paul Levy re GWACS listing/Polymer Receivers, dated August 15, 2019	KEA000699
35.	Email from Russell Phagan to Paul Levy re MK3/WWSD Media Press, dated October 8, 2019	KEA000701

36.	Email from Russell Phagan to Paul Levy, Roy Hill re Not For Distribution-MK3 Design in Process, dated October 9, 2019	KEA000702-KEA000703
37.	Email from Russell Phagan to Jaquelyn Grier, Paul Levy re PO 09585734, dated September 30, 2019	KEA000704
38.	Email from Russell Phagan to Paul Levy re Polymer Reciever Submission, dated September 10, 2019	KEA000705
39.	Email from Russell Phagan to Paul Levy, Roy Hill re Recoil Ad due 12-2-2019, dated November 22, 2019	KEA000710
40.	Email from Russell Phagan to Paul Levy, Jen McCollum, Karl Kasarda re Brownell's Lower Update, dated September 11, 2018	KEA000721-KEA000723
41.	Email from Russell Phagan to Paul Levy re Brownell's WWSD, dated September 18, 2019	KEA000724-KEA000725
42.	Email from Russell Phagan to Paul Levy re Brownell's, dated November 27, 2019	KEA000729-KEA000731
43.	Email from Russell Phagan to Paul Levy, Karl Kasarda re Shot WWSD Release, dated November 15, 2019	KEA000748-KEA000750
44.	KE Arms Manual	KEA000927-KEA000950
45.	Application for Alternate Means Identification	Highly Confidential - KEA001169-KEA001172
46.	KP-15 – Prints	KEA001257-KEA001303
47.	Cavalry Arms Article re Guns and Weapons for Law Enforcement, DATED February 12, 2004	KEA001750-KEA001756
48.	SWAT Magazine, dated October 1, 2004 (	KEA001757.001-KEA001757.100

49.	AR15.com Forum re My Ultra Lite Build, dated September 13, 2010	KEA001758-KEA001786
50.	Jerking the Trigger Article re News from GWACS Armory, dated January 31, 2013	KEA001787-KEA001793
51.	Jerking the Trigger Article re Assembling a CAV-15 MKII Lower Receiver, dated February 19, 2013	KEA001794-KEA001797
52.	Jerking the Trigger Article re Review: Echo Nine Three CAV-15 MKII Modification Package, dated March 25, 2013	KEA001798-KEA001803
53.	TheTruthAboutGuns Article re Coming Soon: 3D Printable AR-15 Lower with P-90 Style Stock, dated May 21, 2013	KEA001804-KEA001805
54.	Guns.com Article re Meet the Charon Family of 3D-Printable AR Lowers, dated June 3, 2013	KEA001806-KEA001813
55.	TheFirearmsBlog Article re American Tactical's \$50 OMNI Hybrid AR-15 Lower, dated November 4, 2013	KEA001821-KEA001832
56.	TheFirearmsBlog Article re Gun Review: ATI Omni Gen2 Hybrid Polymer AR15 Lower, dated December 19, 2013	KEA001833-KEA001848
57.	WeaponsMan Article re The Latest in 3D Printed Gun Developments, dated October 13, 2014	KEA001849-KEA001866
58.	Jerking the Trigger Article re KE Arms and GWACS Armory Lightweight Collaboration Rifle, dated May 15, 2015	KEA001867-KEA001869
59.	Jerking the Trigger Article re GWACS Armory and KE Arms – Flying Too Close to the Sun, dated July 7, 2015	KEA001870-KEA001873
60.	SinistralRifleman Article re Training and Manufacturing Resources Coming Together, dated July 22, 2015	KEA001874-KEA001879
61.	Jerking the Trigger Article re Echno Nine Three GWACS Armory CAV-15 MKII Sling Mount Modification, dated April 11, 2016	KEA001880-KEA001882

62.	Echo Nine Three Facebook Article Link to Guns & Ammo Article re AR-15 Bantamweight, dated May 20, 2016	KEA001883-KEA001889
63.	GunStreamer Article re CAV-15 MKII Lower Parts Kit Installation, dated May 29, 2018	KEA001890-KEA001906
64.	AR15.com Forum re 3D Printed AR15 made from Nylon, dated August 30, 2018	KEA001907-KEA001926
65.	Jerking the Trigger Article re KE Arms Trigger/Hammer Pins for CAV-15 MKII Receivers, dated November 19, 2018	KEA001927-KEA001930
66.	SinistralRifleman Article re Colt Monolithic Polymer Lower from the Vietnam Era, dated December 12, 2019	KEA001931-KEA001935
67.	Jeff's Toy Box Article re We're not the Avengers, but we can still Assemble, dated December 31, 2019	KEA001936-KEA001966
68.	GWACS Armory Webpage re Law Enforcement / Military Contact Form, dated October 29, 2021	KEA001994-KEA001995
69.	American Tactical Article re Omni Hybrid Overview, dated November 15, 2021	KEA002000-KEA002003
70.	CTRL+Pew Webpage re File Drop: U-Bolt Vanguard 3D Printable AR15 Lower Receiver, dated November 15, 2021	KEA002004-KEA002013
71.	PK Firearms Webpage re Mag Tactical Systems Gen 4 Stripped Lower Receiver, dated November 15, 2021	KEA002017-KEA002021
72.	Agreement of Sale between Calvary Arms Corp and Cavalry Manufacturing, LLC, dated June 18, 2010	KEA002022-KEA002043
73.	Letter from Nealon to GWACS re Equipment for the CAV-15, dated February 14, 2012	KEA002044
74.	Email from Russell Phagan to S. Jones re Inquire about Calvary Arms for Sale, dated September 27, 2011	KEA002072-KEA002073 with attachments KEA002050-KEA002071

75.	Email from Russell Phagan to Shel G. Jones re Take Down Pics, dated January 13, 2012	KEA002078
76.	Email from Russell Phagan to Shel G. Jones re Cav-15 MKI Cores and Cavaties, dated September 21, 2012	KEA002079
77.	Email from Russell Phagan to Shel G. Jones re Doomsday plan, dated December 18, 2012	KEA002080
78.	Email from Russell Phagan to Engineering, Shel G. Jones re CAV-15 enhancements, dated January 27, 2013	KEA002081
79.	Email from Russell Phagan to Shel G. Jones re Brownells, dated February 27, 2013	KEA002082
80.	Email from Russell Phagan to Shel G. Jones re Extreme Duty Pins	KEA008083)
81.	Email From Shel G. Jones to Russell Phagan, Scott Merrill re Falcon F93 Stock, dated March 27, 2013	KEA002084
82.	Email from Russell Phagan to Shel G. Jones re Magpul, dated March 27, 2013	KEA002085
83.	Email from Russell Phagan to Shel G. Jones re GWACS Armory Dealer Agreement/Pricing, dated march 27, 2013	KEA002088-KEA002090
84.	Email from Russell Phagan to Shel G. Jones re CAV-15 Owner's Manual/MKI Cores and Cavaties, dated April 2, 2013	KEA002091-KEA002098
85.	Email from Shel G. Jones to Russell Phagan re Flier for Dealers/Owner's Manual/MKI Cases, dated April 11, 2013	KEA002099-KEA002100
86.	Email from Russell Phagan to Shel G. Jones re Latest Drawings, dated May 3, 2013	KEA002101-KEA002106
87.	Email from Russell Phagan to Shel G. Jones re SLIC Pin Price Quote/Misc, dated June 20, 2013	KEA002108

88.	Email from Russell Phagan to Shel G. Jones re They're Learning, dated November 5, 2013	KEA002110
89.	Email from Shel Jones to Russell Phagan re New Polymer receivers, dated February 18, 2015	KEA002111
90.	Moldworx Development Invoices dated between January 7, 2020 through September 30, 2020	KEA002154-KEA002159
91.	Sperry Design Services Development Invoice, dated May 14, 2021	KEA002162
92.	Photo	KEA002383
93.	Cav-15 Receivers	KEA002402
94.	Photos	KEA002409-KEA002415
95.	Photos	KEA002416-KEA002441
96.	ArmaLite.Inc	KEA002585-KEA002589
97.	Photos	KEA002695-KEA002697
98.	GWACS Armory Facebook Posts dated between May 4, 2012 through January 17, 2019	KEA002852-KEA002891
99.	Cavalry Arms AR-15.com Forum Threads	KEA002988-KEA003012
100.	Brownell's New Submission Form	KEA000389-KEA000395
101.	Email from Russell Phagan to Shel G. Jones re Sales Agreement, dated February 25, 2013	Armory-0002
102.	Email from Paul Levy to Shel Jones, dated September 10, 2018	Armory-0004-Armory-0005



103.	Brownell's Projected Orders	Armory-0110
104.	Brownell's Inc. Instagram Post	Armory-0117
105.	Letter from Shawn Nealon to KE Arms, dated February 25, 2016	Armory-0118
106.	CAV-15 Polymer Lower Receivers Post, dated April 6, 2012	Armory-0120
107.	Cavalry Arms CAV-15 Polymer AR-15 mold and IP for Sale- The Fire arm Blog, dated September 21, 2011	Armory-0130-Armory-0139
108.	Social Media Post	Armory-0141
109.	Email from Paul Levy to Shel G. Jones, dated September 10, 2018	Armory-142-Armory-143
110.	GWACS Armory website	Armory-0161-Armory-0162
111.	Jerking the Trigger Article, it Lives! KE Arms to Produce MK3 Polymer Receiver, dated November 22, 2019	Armory-0163-Armory-0168
112.	Email from Russell Phagan to Shel Jones re Dropbox link, dated June 29, 2016	Armory-0169
113.	Recoil website	Armory-0172-Armory-0177
114.	KE Arms LLC – AR-15 Stripped Lower Receivers Polymer	Armory-0179-Armory-0181
115.	KE Arms KP-15 Polymer Stripped AR15 Lower Receiver – Black Integral Buttstock & Pistol Grip	Armory-0191-Armory-0193
116.	GWACS Armory, LLC – Non-Exclusive Independent Contractor Sales Representative Agreement, dated February 20, 2013	Armory-0194-Armory-0195

117.	Messages from 2018	Armory-0196-Armory-0201
118.	Email from Shel G. Jones to Judson M. Gudgel re Sale Rep Proposal, dated February 8, 2013	Armory-202-Armory-204
119.	Mutual Disclosure Agreement, dated October 6, 2011	Armory-0207-Armory-0209
120.	Invoice #108305, Dated November 3, 2016	Armory-0210
121.	Email from Shel G. Jones to Russell Phagan, Jud Grungel, Scott Merrill re Various request, dated May 23, 2018	Armory-0211-Armory-0212
122.	Postcard to GWACS Armory LLC	Armory-0216
123.	Email from Shel G. Jones to Russell Phagan, Jud Gudgel, Scott Merrill, dated May 23, 2018	Armory-0233-Armory-0249
124.	Email from Paul Levy to Shel G. Jones re Brownell's Lower Update, dated September 27, 2018	Armory-0250-Armory-0262
125.	KE Arms website re KP-15 Polymer Receiver	Armory-0307-Armory-0309
126.	TheKTOG.org – Light weight AR...KP-15	Armory-0361-Armory-0392
127.	KP-15 vs CAV-15 Investigation, dated December 224, 2021	BOWLES000012-BOWLES000032
128.	Branson Invoice, dated December 27, 2013	BRANSON000034-BRANSON000035
129.	Branson Invoice, dated January 22, 2021	BRANSON000036-BRANSON000041
130.	Emerson Invoice, dated October 22, 2020	BRANSON000042
131.	Startup Support and Basic Operation Training	BRANSON000018-BRANSON000022

132.	Product datasheet	MDI0000159-MDI0000160
133.	Email from Russell Phagan to Jeffrey Mow, Jovan Beltran re Follow up, dated May 14, 2021	MDI0000163
134.	Email From Jeremy Deadman to Ray Scherer, Tom Star re MK3 Assembly for Moldflow, dated November 27, 2019	MDI0000171
135.	Email From Eric Tech to Ray Scherer, Jack Cheng re Quotation of PNM115037 – Hifill PA6 LGF30 2000 12MM, dated March 12, 2020	MDI0000191
136.	Email From Russell Phagan to Ray Scherer re Meeting Links, dated December 4, 2019	MDI0000204
137.	Email from Ashton Jantz to Ray Scherer re MK# Program, dated February 4, 2020	MDI0000214-MDI0000221
138.	Email From Jovan Beltran to Randy Sperry, Russell Phagan, Hayden Mciver, Ray Scherer, Jeff Mow re MK3 Serial Insert, dated March 18, 2020 ()	MDI0000228-MDI0000231
139	Drawings and Emails	SPERRY0001-SPERRY0067
140.	MK5 Patent (Ex 21 - Gudgel)	
141.	Wayback Machine (Ex 25 – Jones)	
142.	Brownell's Summer Catalog 2019-AR-15 CAV-15 Polymer Lower Receiver (Ex 28 – Jones)	
143.	September 2011 Post (Ex 40 – Nealon)	
144.	November 2019 Sinistral Rifleman (Ex 70 – Phagan)	
145.	MKII Bisection Photos (Ex 150)	

146.	Buttplates Photos (Ex 151)	
147.	CAV-15 Buttstock Rib Dimensions (Ex 181 – Sperry)	
148.	KP-15 Buttstock Rib Dimensions (Ex 182 – Sperry)	
149.	Email String (Ex 190 – Sperry)	
150.	CAV-15 and KP-15 Dimensions (Ex 191 – Sperry)	
151.	Parts list (Ex 192 – Sperry)	
152.	Email with Screenshot (Ex 201 – Beltran)	
153.	Declaration of Jud Gudgel in Support of Plaintiff’s Response to Defendants’ Motion for Summary Judgment, dated August 8, 2022	
154.	Facebook Messages	KEA003040-KEA003046
155.	KE Arms Sales by Item Summary	Highly Confidential – KEA003047-KEA003094
156.	Joe Elledge Facebook Post	KEA003095-KEA003097
157.	Various Emails dated from January 15, 2013 through October 3, 2022	KEA003098-KEA003160
158.	GWACS Statement Regarding Litigation with KE Arms LLC	KEA003161
159.	Asset Purchase Agreement between Cavalry Manufacturing LLC and KE Arms, LLC	KEA003162-KEA003164
160.	2012 ATF Report	KEA003165-KEA003233

161.	2013 ATF Report	KEA003234-KEA003315
162.	2014 ATF Report	KEA0003316-KEA003407
163.	2015 ATF Report	KEA003408-KEA003506
164.	2016 ATF Report	KEA003507-KEA003610
165.	2017 ATF Report	KEA003611-KEA003721
166.	2018 ATF Report	KEA003722-KEA003850
167.	2019 ATF Report	KEA003851-KEA003986
168.	2020 ATF Report	KEA003987
169.	2020 Report	KEA003988-KEA004013
170.	YouTube Video re GWACS CAV-15 MKII It's Back	Native File – KEA004014)
171.	GWACS Armory website (Ex 54 to Russell Phagan Declaration)	
172.	Various Photos (Ex 66 to Russell Phagan Declaration)	
173.	Supplemental Declaration of Russell Phagan in Support of Defendants' Motions for Summary Judgment Briefing (DKT 117-120, 159-162) – Docket No. 179	
174.	Plaintiff's Response and Objections to Defendants' Motion for Spoilation Sanctions – Docket No. 182	
175.	Declaration of Alexander Calaway in Support of Defendants' Motions for (A) Leave to Supplement their Dispositive	

	Motion Briefing (DKT 117-120, 159-162) with Evidence Withheld by Plaintiff in Discovery; and (B) Spoilation Sanctions – Docket No. 178	
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Defendants/Counter-Plaintiff reserve the right to amend, supplement, or add to this list of documents, any documents, other exhibits or demonstrative evidence which may be relevant to the issues of this case. Defendants/Counter-Plaintiff reserve the right to use those documents identified by any other party.

Dated this 21st day of February, 2023.

Respectfully submitted,

**HALL, ESTILL, HARDWICK,  
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**-AND-**

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**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court for the United States District Court by using the court's CM/ECF system on the 21st day of February, 2023. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

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